

Message Text

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ORIGIN NEA-10

INFO OCT-01 ISO-00 L-03 SY-05 VO-03 SCA-01 INSE-00
CIAE-00 INR-07 NSAE-00 JUSE-00 /030 R

DRAFTED BY NEA/ARP:JPLYLE:LB
APPROVED BY NEA/ARP:JWTWINAM
L/M:GLEHNER

-----045283 221845Z /53

P 221715Z JUN 77
FM SECSTATE WASHDC
TO AMEMBASSY ABU DHABI PRIORITY

C O N F I D E N T I A L STATE 144933

E.O. 11652: GDS

TAGS: CFED

SUBJECT: COUNTERFEIT UAE VISA RING

REFERENCE: STATE 138260

1. DESPITE DEPARTMENT'S BEST EFFORTS TO DESCRIBE RIGIDITIES OF U.S. LEGAL PRACTICE WHICH PREVENT EXTRADITION IN FADILI CASE (REFTEL), UAE MIN/INT OFFICIALS ARE APPARENTLY DEPARTING THE U.S. UNHAPPY WITH COOPERATION THEY HAVE RECEIVED FROM USG.

2. DEPARTMENT OFFICERS MET ONCE AGAIN WITH UAE MIN/INT OFFICIALS, THIS TIME ACCOMPANIED BY UAE AMBASSADOR MADFA, TO REVIEW STATUS OF FADILI CASE. DEPARTMENT SUGGESTED MEETING WHEN IT BECAME CLEAR THAT MIN/INT OFFICIALS WERE UNHAPPY OVER PROGRESS IN INVESTIGATING FADILI CASE. DURING MEETING DEPARTMENT OFFICERS ONCE AGAIN REVIEWED WITH UAE OFFICIALS SIMPLE INABILITY OF USG TO EXTRADITE FADILI IN ABSENCE OF EXTRADITION TREATY. WHILE AMBASSADOR MADFA
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SEEMED TO UNDERSTAND THIS POINT, TWO MIN/INT OFFICIALS APPARENTLY STILL CONSTRUED USG'S INABILITY TO EXTRADITE FADILI AS UNWILLINGNESS TO COOPERATE.

3. DEPARTMENT OFFICERS ALSO REVIEWED WITH UAE OFFICIALS
TWO SEPARATE ALTERNATIVES TO EXTRADITION OF FADILI BRO-

THERS, NAMELY PROSECUTION UNDER U.S. LAW AND DEPORTATION OF FADILI BROTHER WHO IS A RESIDENT ALIEN. DEPARTMENT OFFICERS REPORTED THAT SECRET SERVICE, WHICH IS INVESTIGATING POSSIBLE VIOLATION OF U.S. ANTI-COUNTERFEITING STATUTE, HAD INTERVIEWED ADIL FADILI AND EXPECTED TO INTERVIEW ALA FADILI IMMEDIATELY UPON HIS RETURN TO THE U.S. FROM A TRIP ABROAD. DEPARTMENT OFFICERS ALSO INFORMED UAE OFFICIALS OF SECRET SERVICE'S OFFER TO ARRANGE FOR UAE OFFICIALS TO INTERVIEW FADILI BROTHERS THEMSELVES, HOWEVER, UAE OFFICIALS DID NOT TAKE ADVANTAGE OF THIS OPPORTUNITY.

4. ON QUESTION OF DEPORTATION OF FADILI BROTHER WHO IS A RESIDENT ALIEN, DEPARTMENT OFFICERS FIRST STRESSED THE LEGAL DIFFICULTY OF THIS PROCESS UNDERLINING THE TIME DEPORTATION CAN TAKE (CA TWO YEARS). DEPARTMENT OFFICERS THEN NOTED THAT MIN/INT OFFICIALS HAD MENTIONED DURING EARLIER MEETING THAT ONE FADILI HAD BEEN IN JAIL IN THE UAE FOR A YEAR. SINCE THIS JAIL TERM MIGHT HAVE AFFECTED VALIDITY OF ORIGINAL APPLICATION FOR ENTRY TO U.S., DEPARTMENT OFFICERS SUGGESTED THAT UAE MIN/INT OFFICIALS CALL ON IMMIGRATION AND NATURALIZATION INVESTIGATOR TO ASSIST WITH POSSIBLE DEPORTATION INVESTIGATION. MIN/INT OFFICIALS DEMURRED STATING THAT THEY WERE UNPREPARED TO COMMENT ON THIS ASPECT OF FADILI CASE, SINCE FILES CONTAINING DETAILS OF FADILI'S PRISON TERM WERE STILL IN THE CONFIDENTIAL

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EMIRATES. THEY SAID THAT WHEN THEY RETURNED TO UAE, THEY WOULD PREPARE AS COMPLETE A FILE AS POSSIBLE ON ALL ASPECTS OF FADILI CASE, AND WOULD TRANSMIT THIS FILE TO U.S. JUSTICE OFFICIALS THROUGH EMBASSY. DEPARTMENT OFFICERS OFFERED TO KEEP UAE OFFICIALS ABREAST OF PROGRESS IN INVESTIGATIONS THROUGH EMBASSY ABU DHABI.

5. COMMENT/ACTION REQUESTED: IN LIGHT OF MEETING DESCRIBED ABOVE AND RATHER CLEAR INDICATION THAT UAE MIN/INT OFFICIALS WERE LEAVING THE U.S. UNSATISFIED WITH COOPERATION THEY RECEIVED, WE ARE CONCERNED WITH THE REPORT THEY WILL MAKE TO HIGHER UAE LEGAL OFFICIALS. EMBASSY SHOULD AGAIN SEEK OPPORTUNITY TO DESCRIBE USG'S POSITION ON THIS MATTER TO APPROPRIATE UAE OFFICIALS, STRESSING COMPLETE WILLINGNESS TO COOPERATE WITHIN THE CONSTRAINTS SET BY U.S. LEGAL SYSTEM AND PRACTICE.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Sent Date: 22-Jun-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE144933
Document Source: CORE
Document Unique ID: 00
Drafter: JPLYLE:LB
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770223-0380
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770630/aaaababu.tel
Line Count: 111
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 827be378-c288-dd11-92da-001cc4696bcc
Office: ORIGIN NEA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 STATE 138260
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 24-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2069126
Secure: OPEN
Status: NATIVE
Subject: COUNTERFEIT UAE VISA RING
TAGS: CFED
To: ABU DHABI
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/827be378-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009